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10 *Sofamor Danek USA, Inc., and Medtronic*
11 *Vertelink, Inc.*

12 UNITED STATES DISTRICT COURT
13 FOR THE DISTRICT OF NEVADA

14 BRETT SCOVIL,

15 Plaintiff,

16 vs.

17 MEDTRONIC, INC., MEDTRONIC
18 SOFAMOR DANEK USA, INC., and
MEDTRONIC VERTELINK, INC.,

19 Defendants.

Case No. 2:14-cv-00213-APG-VCF

**JOINT STATUS REPORT AND
STIPULATION TO FURTHER STAY
PROCEEDINGS; [PROPOSED] ORDER**

Assigned to Honorable Andrew P. Gordon
Referred to Magistrate Judge Cam
Ferenbach

Compl. Filed: October 15, 2013
Am. Compl. Filed: April 2, 2014

22 Plaintiff Brett Scovil and Defendants Medtronic, Inc., Medtronic Sofamor Danek
23 USA, Inc., and Medtronic Verterlink, Inc. (collectively, "Medtronic") reached a confidential
24 settlement of this case, and all deadlines in this action were stayed to permit the parties to
25 engage in settlement discussions.

26 Since filing the last stipulation to stay the proceedings, Plaintiff, and the other
27 claimants involved in this global settlement, have continued to work diligently with

28 JOINT STATUS REPORT AND STIPULATION TO FURTHER STAY PROCEEDINGS;
[PROPOSED] ORDER

1 Medtronic and the settlement administrator to advance the progress of the settlement.
2 Claimants, including Plaintiff here, have submitted claim forms to the settlement
3 administrator. The settlement administrator completed her review of the claims, and
4 settlement offers have been extended to claimants. Many claimants, including Plaintiff, have
5 made the decision to accept their settlement offers; however, the settlement does not become
6 binding upon Medtronic until a certain percentage of all claimants participating in the global
7 settlement accept their awards. Given the number of cases involved, the parties will need
8 additional time to finalize the settlement and anticipate that this process could take up to four
9 additional months to complete.

10 Based on the substantial progress that has been made in this settlement process, no
11 purpose will be served by lifting the stay where the parties expect that settlement will be
12 completed. Accordingly, in order to conserve the resources of the Court and the parties, and
13 to allow the time needed to finalize the settlement, the parties respectfully request that the
14 Court stay this action for four months from the entry of the Court's Order. Should the parties
15 finalize a settlement prior to that time, the parties will promptly notify the court by
16 voluntarily dismissing the action with prejudice.

17 Should this action not be dismissed by that time, the parties shall submit a status
18 report and request for continued stay on or before the expiration of the stay.

19 DATED this 9th day of September, 2016.

20
21 **HAMILTON LAW LLC**

22 By /s/ Ryan A. Hamilton
23 Ryan A. Hamilton
24 Attorneys for Plaintiff

1 **LEWIS ROCA ROTHGERBER CHRISTIE
2 LLP**

3 By /s/ J. Christopher Jorgensen
4 J. Christopher Jorgensen
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6 Inc., Medtronic Sofamor Danek USA,
7 Inc., and Medtronic Vertelink, Inc.*

8 **REED SMITH LLP**

9 By /s/ Michael K. Brown (Admitted Pro Hac Vice)
10 Michael K. Brown
11 *Attorneys for Defendants Medtronic, Inc.,
12 Medtronic Sofamor Danek USA, Inc., and
13 Medtronic Vertelink, Inc.*

14 **IT IS SO ORDERED:**

15 

16 Cam Ferenbach
17 United States Magistrate Judge

18 DATED: 9-9-2016

19 IT IS HEREBY ORDERED that a status hearing is scheduled for 1:00 p.m., January 17, 2017, in
20 courtroom 3D.